Remarks:

Reconsideration of the application is requested.

Claims 1-20 remain in the application. Claim 1 has been amended.

In item 5 on page 2 of the above-identified Office action, claim 1 has been rejected as being indefinite under 35 U.S.C. § 112, second paragraph.

More specifically, the Examiner has stated that there is insufficient antecedent basis for the limitation "said controller providing the functional features to said first communications terminal by processing the instruction sequence as a program section" in claim 1. The language of claim 1 has been amended to provide sufficient basis for this limitation.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, second paragraph. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above-noted changes to the claims are provided solely for cosmetic and/or clarificatory reasons. The changes are neither provided for overcoming the prior art nor do they

narrow the scope of the claims for any reason related to the

statutory requirements for a patent.

In item 7 on page 3 of the above-mentioned Office action,

claims 1 and 13-20 have been rejected as being anticipated by

Robinson et al. (US Pat. No. 5,533,102) under 35 U.S.C. §

102(b).

The rejection has been noted and claim 1 has been amended in

an effort to even more clearly define the invention of the

instant application. Support for the changes is found on page

3, lines 10-20 of the specification.

Before discussing the prior art in detail, it is believed that

a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

> said first communications terminal having a central
> controller transmitting status data relating to
> functional features of said first communications terminal
> to said remote computer via a second network, <u>said remote
> computer being programmed to automatically evaluate the
> status data and to generate an instruction sequence from
> the status data and to transmit the instruction sequence
> to said first communications terminal</u> via the second
> network; and
>
> <u>said central controller employing the instruction
> sequence as a program section and providing the
> functional features to said first communications terminal
> upon processing the program section.</u> (Emphasis added.)

According to the invention of the instant application, the evaluation of the status data for generating the instruction sequence is done by the remote computers. In contrast, in Robinson et al. evaluating call status data is up to the responsive user being notified of call states (see column 6, lines 7-13 and column 8, lines 5-9). Therefore, Robinson et al. teach an "open loop" system depending on user interaction whereas the invention of the instant application represents a "closed loop" system in which no user interaction is required and desired (see page 2, lines 10-16 of the specification) for controlling a communication terminal's functionality.

Clearly, Robinson et al. do not show "said first communications terminal having a central controller transmitting status data relating to functional features of said first communications terminal to said remote computer via a second network, said remote computer being programmed to automatically evaluate the status data and to generate an instruction sequence from the status data and to transmit the instruction sequence to said first communications terminal via the second network; and said central controller employing the instruction sequence as a program section and providing the functional features to said first communications terminal upon processing the program section", as recited in claim 1 of the instant application.

Claim 1 is, therefore, believed to be patentable over Robinson et al. and since claims 13-20 are ultimately dependent on claim 1, they are believed to be patentable as well.

In item 18 on page 6 of the above-mentioned Office action, claims 2-4 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Robinson et al. in view of the well-known feature of using Internet protocol.

As discussed above, claim 1 is believed to be patentable over the art. Since claims 2-4 are ultimately dependent on claim 1, they are believed to be patentable as well.

In item 20 on page 6 of the above-mentioned Office action, claims 5-9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Robinson et al. in view of the well-known feature of using H.323 protocol.

As discussed above, claim 1 is believed to be patentable over the art. Since claims 5-9 are ultimately dependent on claim 1, they are believed to be patentable as well.

In item 28 on page 8 of the above-mentioned Office action, claims 10-12 have been rejected under 35 U.S.C. § 103(a) as

being unpatentable over Robinson et al. and further in view of

Lam (US Pat. No. 6,052,461).

As discussed above, claim 1 is believed to be patentable over

the art. Since claims 10-12 are ultimately dependent on claim

1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of

claims 1-20 are solicited.

In the event the Examiner should still find any of the claims

to be unpatentable, counsel would appreciate a telephone call

so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee

for response within a period of one month pursuant to Section

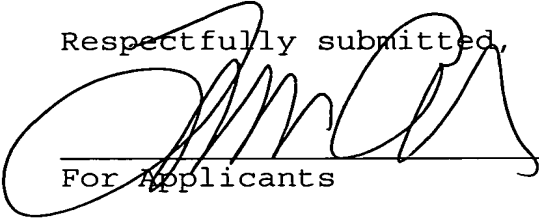1.136(a) in the amount of $110.00 in accordance with Section

1.17 is enclosed herewith.

Please charge any other fees which might be due with respect

to Sections 1.16 and 1.17 to the Deposit Account of Lerner and

Greenberg, P.A., No. 12-1099.

Respectfully submitted,

For Applicants

LAURENCE A. GREENBERG
REG. NO. 29,308

YHC:cgm

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Lerner and Greenberg, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101